

MINUTES OF THE MEETING OF THE
FISH AND GAME COUNCIL

Central Region Office
Robbinsville, New Jersey
February 5, 2008

The regular meeting of the New Jersey Fish and Game Council was held on the above date. In attendance were:

Acting Chairwoman Jeanette Vreeland
Councilman Dave Burke
Councilman Ed Kertz
Councilwoman Jane Morton-Galetto
Councilman John Messeroll
Councilman Robert Puskas
Councilman Dan Van Mater
Councilman Len Wolgast

Absent: Councilman Richard Culp
Councilman Fred Hough

Division employees included: Director Dave Chanda, Assistant Director Larry Herrightly, Paulette Nelson, Lisa Barno, Tim Cussen, Paul Castelli, Patrick Carr, Tony McBride, Carole Kandoth, Andrew Burnett and Sue Predl.

Members of the public included representatives from the Federation of Sportsmen's Clubs, residents of Millburn, a representative from the National Wild Turkey Federation and others.

The meeting was called to order at 10:16 am.

The flag salute and Pledge of Allegiance were completed.

Roll call was taken.

Acting Chairwoman Vreeland noted the New Jersey White Tailed Deer Classic that was held recently, commenting on the large size of some of the deer on display.

She also noted that she had recently attended a few committee meetings.

At this point Acting Chairwoman Vreeland announced that the public comment period would begin soon, and reminded those in attendance that the comments were to be made on the agenda items only. All other comments were to be held until the end of the meeting. She gave a brief summary of the items to be covered at the meeting today.

Director Chanda gave a brief summary of this past months' activities. He noted that he had recently gone to the Liberty Science Center to attend the premiere of a documentary to be shown on the Nature Channel titled "Crash-the Tale of Two Species" which highlights the relationship between Horseshoe crabs and shorebirds. He gave a brief summary of the program, noting that it would be shown on Sunday, February 10, 2008 at 8 pm.

Director Chanda also commented on the Deer Classic, noting that the Office of Information and Education did a nice job with the Division display.

He noted this is the time of year when he is attending many different activities at night and on the weekends, and briefly reviewed some of the programs he has attended.

Director Chanda noted that he had attended a Division Representative Meeting recently. This program is coordinated by Al Ivany from the Office of Information and Education, and they are currently trying to revitalize the program.

He also met with the Regional Biologists from Ducks Unlimited and Principal Biologist Don Wilkinson and his staff. They reviewed the various projects that are currently underway and discussed potential projects to consider for the future. He felt that they had a good session, and is hoping for some good projects for the future.

Director Chanda noted that the quarterly spending meeting was held with personnel from the Office of Management and Budget. Things are solvent through the remainder of this fiscal year, but he reminded Council that some of this is due the fact that when someone retires, we are no longer able to backfill positions due to the hiring freeze. He also wanted to point out to Council that historically, the Division has about 275 employees, and 225 of these are paid out of the Hunter and Anglers Account. During his career, the number of employees paid out of this account has been about 200, going up and down based on budget. As of last week, the Division has only 169 employees being paid out of that account, and this is part of the reason for the surplus in the account. Due to this low number of employees, he will review the priorities that need to be focused on with the Bureau Chiefs, and noted that some programs may need to be cut due to lack of personnel. He will keep members of the Council updated on any program changes that may occur.

Director Chanda noted he would be attending the Agriculture Convention tomorrow to give the annual report to the Department of Agriculture.

Minutes of the January 8, 2008 meeting were reviewed. **A motion was made by Councilman Van Mater, seconded by Councilman Messeroll to approve the minutes. A vote was taken with all in favor, none opposed.**

The public comment period was opened. Rob Winkel asked how he could make comment on the Game Code Committee's recommendations to Council if he did not know what they are. Director Chanda advised Mr. Winkel that today was just the beginning of the public process, and there would be additional opportunities to review and comment on these proposals. Mr. Winkel then made comment to that the proposals being reviewed today would not take effect until 2009,

and there were concerns from last year's deer harvest, especially in South Jersey for the need to limit the deer seasons in some areas. He felt having another deer harvest with the present seasons and bag limits in place was undermining the deer management program.

Councilman Wolgast referenced an e-mail that was received from Council's legal advisors regarding, if Council could stop seasons if they thought too many deer were being harvested. They responded that this can not be done if it is not in the rule. Assistant Director Herrightly had additional comments on this matter, noting that this was something to be reviewed this afternoon.

The Fish Code was reviewed next. Chief Lisa Barno reviewed that the proposals were published in the Register on December 3, 2007 and the public comment period closed on February 1, 2008. A public hearing was held on January 8, 2008, and there were five people in attendance.

Copies of the proposals that had received comments were distributed to the Council with attached copies of the comments for each. Sixteen comments were received overall. Most of these comments referenced the proposed two rod limit for shoreline angling. These comments all came from members of the group known as the Carp Anglers. They asked Council to reconsider the two rod proposal to three or four rods, for allow the use of a rod pod, a device which can hold multiple rods. Chief Barno reviewed information that was discussed at the public hearing regarding rod pods. She noted that the Division recommended the two rod limit to be consistent with the border waters for other states. Councilman Messeroll, Chairman of the Freshwater Fish Committee, added that he had spoken to Chief Barno several times on this matter, and recommended that Council consider a three rod limit if feasible. Councilman Burke asked why not limit it to four rods as the commenter's asked for. Councilman Messeroll noted that a four rod limit could require an additional comment period. There was additional discussion regarding the change to three or four rods, or as Chief Barno pointed out, they could leave it as is and have no limit. After some additional discussion, **a motion was made by Councilman Van Mater to approve a three rod limit for shoreline angling. This was seconded by Councilman Kertz.** Councilman Messeroll noted that as Chairman of the Committee, he recommended this be accepted. **A vote was taken with all in favor, and one opposition vote from Councilwoman Galetto.**

Next proposal to be addressed would increase the statewide minimum size limit for brook, brown and rainbow trout from seven to nine inches. There was one comment received supporting this proposal. **A proposal was made by Councilman Messeroll to accept this change, and seconded by Councilman Wolgast. A vote was taken with all in favor, none opposed.**

The next item was the proposal to allow the possession of trout, less than the proposed 9 inch size limit, when purchased for use as bait. There was one comment received, where the commenter recommended that this proposal be limited to rainbow and brown trout only, and Chief Barno reviewed this matter with the Council. After some discussion, **a motion was made by Councilwoman Galetto, seconded by Councilman Wolgast to accept this proposal. A vote was taken with all in favor, none opposed.**

The next proposal addressed increasing trout stocking in several water bodies, as well as the addition of two water bodies to the trout stocking program (Manny's Pond and Mountain Farm

Pond). Two comments were received, and both supported the addition of these two water bodies to the trout stocking program. There was some minor discussion on this matter. **A motion was made by Councilman Wolgast, seconded by Councilwoman Vreeland to accept these proposals. A vote was taken with all in favor, none opposed.**

The next proposal to be addressed was one where Swartswood Lake would no longer be regulated as a Holdover Trout Lake. Two comments were received from members of the Paradise Fishing Club, and these were reviewed by Chief Barno. She gave Council a review of their findings that resulted in this proposal. Councilman Messeroll asked if a creel survey had been done, and she noted that it had not because they are very labor intensive and they do not have the manpower to complete this. Acting Chairwoman Vreeland asked how soon would they consider a change in stocking, and Chief Barno said they could look at it, review it and recommend changes for 2009. She felt there may not be enough time to make changes for this year. Councilman Burke asked if the Committee recommended accepting this proposal, and Councilman Messeroll noted that yes, they did. **A motion was made by Councilman Burke, seconded by Councilman Wolgast to accept this proposal. A vote was taken with all in favor, and one opposition from Acting Chairwoman Vreeland.** Chief Barno noted that the Paradise Fishing Club should be commended for their work on the lake.

The last proposal to be reviewed was one that would prohibit the possession of mud sunfish, blackbanded sunfish, bluespotted sunfish and banded sunfish. Two comments were received opposing this proposal, and they were reviewed by Chief Barno. One of the comments came from the Pinelands Commission, and personnel have met with and spoken with them on this matter. There was additional discussion between Chief Barno and members of the Council on this matter. Councilman Messeroll noted that the Committee recommends that this proposal be approved. **A motion was made by Councilman Messeroll, seconded by Councilman Puskas to approve this proposal.** Councilman Burke had further questions on the letter received from the Pinelands Commission, and there was more discussion on this matter. Councilwoman Galetto also discussed that they are collected for aquariums because of their size and color. After further reviewing the matter and the concerns of the Pinelands Commission, **a vote was taken with all in favor, none opposed.**

After conclusion of review of those proposals that had received public comment, Chief Barno noted two corrections that needed to be made. One dealt with the Wanaque River and a clarification that was needed on it being a wild trout stream. **A motion was made by Councilman Puskas, seconded by Councilman Van Mater to accept this correction. A vote was taken with all in favor, none opposed.**

The next correction was to fix two typographical errors. A proposal was made by Councilman Messeroll to accept the entire code with these changes. **A motion was made by Councilman Puskas, seconded by Councilman Van Mater to accept the Fish Code with these corrections. A vote was taken with all in favor, none opposed.**

Councilman Burke asked if the Freshwater Fisheries Forum was still on for March 1, 2008 at Batsto, since he has been hearing from some clubs that this date will interfere with a fishing flea

market. Chief Barno noted that yes, that was the date, and it is picked months in advance so that it may be published in the Digest. Start time for this event is 10 am.

Chief Barno presented the stocking allocation changes for the 2008 Spring trout season. She noted that two waters, Manny's Pond and Mountain Farm Pond have been added to the program. Two other waters, Barker's Mill Brook and Bostwick Lake have been dropped from the program. She also noted the temporary allocation adjustment to several other waters. Additionally, they would like to continue with the Bonus Broodstock Program for 2008, and she presented data and map information on this program to the Council. After review of the trout stocking information presented to the Council, **a motion was made by Councilman Messeroll, seconded by Councilman Wolgast to accept the changes to the trout stocking and bonus broodstocking programs. The motion was seconded by Councilman Wolgast. A vote was taken with all in favor, none opposed.**

Chief Barno reminded members of the public trout meeting this Saturday, February 9, 2008 at the Pequest Hatchery. Also, the pre-season stocking will begin on March 17, 2008 and Council members are invited to come to Pequest on that day.

Councilman Messeroll noted that the Fish Art Contest is underway, and the will be presented on opening day of trout season at the Pequest Hatchery. He added that information is available on the Division's website.

The Agriculture Committee reported was presented next. Councilman Puskas noted that most of the complaints he has been receiving are about the geese, and this has been the worst year ever seen in his area. They have devastated anyone with small grain crops, and there are concerns that it will affect the crop yield this year. There was some additional discussion among the members on this matter. Councilman Kertz had no additional information to report.

Councilman Messeroll gave the Federation Committee report. He noted that the Deer Classic was a success.

He noted that Assistant Director Herrighty attended their recent State meeting, and was able to answer questions that members had.

Several programs are going on, including NRA Grants for shooting sports, and the deadline for filing is August.

The Atlantic County deer zones 26 and 22 were also discussed recently.

Many sportsmen's banquets are being held now.

He also noted that the Cranford Rod and Gun Club in Union County is expanding their archery program to the 4-H program. He gave some additional information on this matter.

Also discussed at their recent meeting was access to ranges for disabled hunters. Assistant Director Herrighty noted he discussed their concerns with Tony Petrongolo and Paulette Nelson.

Councilman Messeroll added that there is a group of disabled hunters who are starting to organize, and recently a deer hunt on a golf course was organized by the Wild Turkey Federation and the Hunterdon County Parks Department in Hunterdon. The hunt had a good turnout.

The Federation Committee met before the meeting today, and Legislative Liaison Paulette Nelson handed out and gave a review of the pending Assembly and Senate Bills. She noted most of the bills introduced so far this year were identical to those introduced last year, with a few exceptions. Bills that she noted included:

| BILL | DESCRIPTION (Brief) | POSITION |
|--|--|------------------------------|
| A-283 | Establishes a Hooked on Fishing Program | Support |
| A-577 | Remove Monk Parakeet as Potentially Dangerous Species | Under Review |
| A-666 | Require DOT to Remove Deer Carcasses | No Position |
| A-952 | Dedicates \$20 Million Annually in Realty Transfer Revenues for Development and Repair of State Parks, Forests, Rec. Areas, etc. | Support |
| A-1202 | Changes Composition and Revises Authority of Fish and Game Council | NEW BILL |
| <p>This is a new bill, and it is the recommendation of Legislative Liaison Paulette Nelson and the Committee to oppose it.</p> | | |
| A-1429 | Increases Penalties for Intentional Feeding of Black Bears ***it was noted, the law needs to be changed | Support*** |
| A-1660 | Permits the Use of Deadly Force Against Black Bears in Certain Cases | Support (with amendments) |
| A-1667 | Clarifies Fish and Game Council Has Sole Authority to Regulate Freshwater Fishing, Hunting and Trapping | Support |
| A-1669 | Authorizes Deer Hunting with Bow and Arrow on Sundays. | Support |
| A-1699 | Marine Fisheries Related Bill | Defer to |
| A-1808 | “ “ | Marine Fisheries |
| A-1851 | “ “ | Council |

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|--------|--|------------------------------|
| A-1945 | Authorizes Free Hunting, Fishing, etc. Licenses to Individuals with Certain Types Of Military Service | Recommends Supporting |
| A-2004 | Eliminates Lincoln's Birthdays as a State Holiday and Replaces It With the Friday After Thanksgiving to be Known As Family Day | FYI Only |

There was some minor discussion on these bills. Councilwoman Galetto also referenced a Bill A-823I that would address off road vehicles, and gave a brief overview of same.

Senate bills were reviewed next.

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| S-75 | Companion to HOFNOD Bill | Support |
| S-200 | Changes Restrictions on Certain County or Municipal Stream Cleaning Activities | Recommends Opposing (explanation given) |
| S-214 | Concerns Stewardship of Forests | Under Review |
| S-255 | Marine Fisheries Related Bill | |
| S-336 | “ “ | |
| S-365 | “ “ | |
| S-447 | Prohibits Export of Water from Pinelands | Under Review |
| S-713 | Establishes Forest Stewardship Program (Explained) | Under Review |
| S-747 | Appropriates \$75 Million From Cigarette Tax Proceeds Fund to DEP for Capital Projects | Recommends Supporting |
| S-802 | Authorizes Sunday Deer Hunting With Bow | Recommends Supporting |
| S-861 | Requires DOT to Provide For Removal of Deer Carcasses | No Position |
| S-865 S-925 S-926 S-969 | Authorizes Free Hunting and Fishing Licenses Park Admissions for Individuals With Certain Military Service (Duplicate Bills) | Support If We Receive Reimbursement |
| S-866 | Regulates Power Vessels in Certain Areas | Support |

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|-------|---|-------------------------------------|
| S-871 | Requires DEP to Designate Smoke Free Sections of State Beaches, Parks and Forests | Recommends No Position At This Time |
| S-872 | Sets Mileage Reimbursement Rate at IRS Rate | Support |
| S-946 | Authorizes Counties to Reduce Greenhead Fly Populations | Defer to Mosquito |
| S-976 | Changes Perimeter for Bow and Arrow Hunting Around Occupied Buildings | Support |

Legislative Liaison Nelson also briefed members of the Council on several current Senate resolutions that would make amendments to the Constitution. Councilwoman Galetto noted that she would not be available to go to the hearing on the pending off road vehicle resolution, and asked if someone else might be able to attend. Legislative Liaison Nelson advised anyone able to attend should let her know. Councilman Messeroll expressed that it was the recommendation of the Legislative Committee to go along with the suggestions made on the bills that were reviewed. **A motion was made by Councilman Wolgast, seconded by Councilman Puskas to follow the recommendations as suggested for these bills. A vote was taken with all in favor, none opposed.**

The meeting broke for lunch at 11:56 am.

Meeting resumed at 12:47 pm.

Councilwoman Galetto reported for the Endangered and Non-Game Species Committee. She noted that a report was given on Peregrine Falcons by Principal Biologist Kathy Clark, and there are now more Peregrine's in New Jersey than there were historically in New Jersey.

She also reported on an eagle's nest that was intentionally cut down in Southern New Jersey and gave a brief review of the activities previously documented at that nest.

There were meetings of the eagle nest observers held in the Northern and Southern parts of the State, and the Southern meeting was held in conjunction with the Eagle Festival, which had over 1,000 people in attendance.

A letter was sent to Marine Fisheries requesting them to maintain the Horseshoe Crab Moratorium.

Councilman Messeroll reviewed a note he received from participants in the Governor's Surf Fishing Tournament, thanking the Division for their efforts and noting they were first time participants who would be back in the future to participate again.

Chief Tim Cussen reported for the Bureau of Law Enforcement. He noted one correction in the Bureau's monthly report on the status of a vacant position in the Northern Region.

He also reported that Officers reported 6136 ¾ hours during this last reporting period. Activities included 4603 hours for Law Enforcement time, 1168 hours for deer hunting activities, 1237 hours for training, 807 hours for marine resources and 586 hours for small game hunting. Officers also made 1652 field inspections, resulting in 332 summonses and 14 warnings being issued, with no criminal arrests made. Some of the summonses issued included 259 for deer hunting, 32 for small game, 30 for waterfowl, 15 for wildlife management area regulation, 14 marine recreational and 5 marine commercial violations.

Chief Cussen reported that Conservation Officers Sutton and Toppin are in the process of finishing their basic Conservation Officer III training with Captain Matt Brown. They will be finishing this training near the end of February, and on March 1 will begin the Field Training Officer program which runs for 16 weeks.

He also noted that seven of the eight new Conservation Officers who were recently hired started the Cape May County Police Academy on February 4, 2008.

He summarized some of the cases reported from the monthly highlights. In the Northern Region, Captain Fletcher responded to a report of shots fired from a vehicle. He found a gut pile, shell casings and drag marks in an adjacent field to where this activity was reported to be, and was given a license plate number from someone who had seen this vehicle. He went to the address that the plate came back to, and found that the person who shot from this vehicle and his brother both had suspended driving privileges. Further investigation at the home found a blood smear on the vehicle's bumper, as well as a blood stained cooler nearby, and they were able to determine that the individual had shot a deer in the same area the night before. Appropriate charges have been filed.

In the Central Region, Officer Sean McManus had received information on late waterfowl hunting occurring on the Crosswicks Creek. He relayed the information to Officer Tom O'Rourke since this was in his coverage area, and at NJ State Marine Police were also contacted for assistance. Their investigation led them to apprehend a shooter who was hunting after hours. The individual received many various charges.

In the Southern Region, Officer Zane Batten had received information of individuals hunting on Christmas Day. He investigated this matter on that day, and found an individual hunting from a tree stand over bait, and wearing no hunter orange. The person claimed to be hunting coyote, but their firearm was loaded with buckshot. After speaking further to the person, it was determined that they were in fact deer hunting. They person told the officer that if he had seen him coming, they would have run, and Chief Cussen commented that our officers are very good at not being seen while doing investigative work.

Also in the Southern Region, Officer Tracy Stites investigated a complaint of individuals using dogs while deer hunting. With assistance from other officers in his region, they were able to locate these individuals, and four of them were apprehended. Various charges have been filed.

In the Marine Region, Lt. Fresco and Officer Dravis inspected a scallop vessel that was found to have over the limit amounts of scallops, as well as over the limit amounts of monkfish on board. They also found that the captain of the vessel had not completed his trip report. This case has been turned over to the National Marine Fisheries Service, and maximum penalties for this case could be as much as \$180,000.

Principal Biologist Sue Predl from the Bureau of Wildlife gave a brief update of the Community Based Deer Management Permit issued for the South Mountain Reservation. Shooters have harvested 102 deer in the first two days, and she noted that their goal was 150 deer and feels they should have no problem reaching this goal. Principal Biologist Predl was there to take ages and data on the deer harvested, and is working with personnel from that area to train them how to age deer, as well as collect the reproductive tracts. She reviewed the program, whereby the meat harvested goes to a community food bank, and shooters can have up to 20 pounds of meat if they put in a required amount of time to the program. The County Executive also noted at a press conference that they will keep going once they reach their goal of 150 deer since they feel there are more deer in the area than originally thought. She also noted that there are many older deer being harvested from this area.

The application for a Community Based Deer Management Permit for the Watchung Reservation was presented by Principal Biologist Predl. She noted that the application has been requested by five townships on behalf of the Watchung Reservation, and asks for a three day hunt using 12 volunteers to be held in March, 2008. Since the program was first started in 1995, 1147 deer have been removed. Their population estimate is 123 deer, and they have a goal of 64 deer in this area. They are hoping to harvest 59 deer, but will take no more than 100. Principal Biologist Predl reviewed hunter information for the Council. She noted that the application asks for the ability to use unplugged guns, but advised that the Division does not recommend allowing that request. Meat from the harvested deer will be donated to the local food bank, and like the permit issued to South Mountain, hunters who donate the required amount of time can keep up to 20 pounds of meat. Principal Biologist Predl reviewed information on the deer/vehicle collisions for that area. The permit request is for shooting during daylight hours using shotguns, shooting from treestands, and asks an exemption from the hunter orange requirement. Ms. Predl was also asked by Assistant Director Herrighty to give her assessment of the forest understory in the area since the program began. She explained that it is coming back in some areas, but there has been no formal documentation of the vegetation with the exception of what she counted just outside and inside of their deer enclosure area. She briefed the members on some of what she has seen. Councilman Wolgast asked if the cost per deer has gone down since the harvest program first began, and Principal Biologist Predl noted it had due to changes in the program, and the fact that the original harvest was done before the inception of the Community Based Deer Management Program. She explained what factors were so costly at that time compared to the present cost of holding this program. **A motion was made by Councilman Puskas, seconded by Councilwoman Galetto, to grant the permit for the Community Based Deer Management Program as requested in this application, with the exception of permission to use unplugged shotguns. A vote was taken with all in favor, none opposed.**

Assistant Director Herrighty distributed the summary of the Bear Activity Report for Calendar Year 2007 for Council's review.

Principal Biologist Carole Kandoth was in attendance to review the proposed changes to the 2009-2010 Game Code. She distributed information to the Council on what those changes would be, and noted that biologists from the various projects would be covering their specific changes. She noted under the General Provisions section 5.1-(d)19: would remove the word “bonus” and add the word “antlered” for the antlered buck permits.

Principal Biologist Andrew Burnett reviewed the proposals for changes to the small game section of the code. There was some discussion on 5.11, regarding fishers and the reasons for proposing they be added to the code, as well as review of the need to add coyote to the list of animals for which a special trapping permit may be issued.

On section 5.19 –Fox and coyote, that was some discussion on hunting during the day and how it would differ from hunting at night, with regarding to the type of firearm or bow that might be used.

After review of all the proposed small game section proposals, there was a review of the two proposed changes to 7:25-5.6 Black bear, bobcat given by Supervising Biologist Patrick Carr. Assistant Director Herrighty noted that there is no anticipated hunting season at this time, and that these were just languages changes, and the Council and the Department would have to agree on a policy before anything could move forward on a season. Councilman Messeroll asked about the language which says the permit must be displayed on your back, noting that they may want to change that to “in your possession” because of the amount of permits and licenses that must be displayed. Principal Biologist Carr noted that the language is consistent with the permit language for hunting other species. Chief Cussen addressed the Council, noting the most important thing to have displayed would be the license with the CID number displayed. Councilman Kertz asked if the language could be changed to “must be accompanied with the valid hunting license”, and there was some discussion as to other options that could be made. Assistant Director Herrighty noted that they would work on the language for this matter.

Principal Biologist Tony McBride presented and reviewed the proposed changes to 7:25-5.7- Wild Turkey, and also provided a copy of the Wild Turkey Research Project Report for 2007. He also gave a power point presentation detailing the information he was reviewing. After reviewing Proposal 1, which would change the opening day of the spring wild turkey season, Council Wolgast asked for any comments that Robert Eriksen from National Wildlife Turkey Federation. Mr. Eriksen noted that this proposal met with their support. After further review, there was discussion on the dates and timeframes for these proposals and when they might become effective, and the information used to determine season quotas with regard to hunter quality and safety issues.

Research Scientist Paul Castelli presented and reviewed the proposed changes to the Migratory Bird Regulations. There was some discussion on the changes proposed for the Managed Take program for Canada geese under Proposal 3, and Assistant Director Herrighty had some suggestions on language changes that may want to be looked at. It was also noted that this would be known as a take, not a hunt, and the dates for this would not come off the days allowed for the hunting season. There was some additional discussion on this proposal and whether or

not it should be open to only farmers and the agricultural community or to all. Research Scientist Castelli noted that the language in the game code would allow the Division to participate in the Managed Take program in the future.

Principal Biologist Carole Kandoth reviewed proposed changes to the deer hunting regulations. She reviewed 5.22-Possession and take, and the reason for adding language to disallow administration of any drug/chemical to any regulated wildlife, unless specifically permitted by the Division. Assistant Director Herrighty gave additional information on this matter. Councilman Burke asked if a definition of what was considered a chemical was going to be made since there are so many products currently available. There was discussion on this matter, and Assistant Director Herrighty noted that this language is just an interpretation.

Principal Biologist Kandoth noted to the Council that the Fall Harvest Data would not be presented until the meeting. Due to a number of factors, she did not want to make projected harvest quotas without the information in place. Councilman Wolgast noted that numbers set would be in place for a long time, and asked if there were concerns of overharvest. Principal Biologist Kandoth noted that there are areas of concern, and they are looking to see if language could be put in to the code that would allow the Council to move zones between regulation sets if needed. She has been in touch with the Department's lawyers regarding this matter, and noted that it was an ongoing discussion and would need to be looked at further. Assistant Director Herrighty explained different possibilities that may be considered, and there was additional discussion on the matter.

Proposal changes to 7:25-5.27, White-tailed deer six-day firearm season, were explained. This would allow bow hunters to harvest bucks with a bow and arrow during the six day firearm buck season using the firearm transportation tag from their firearm license or all-around license. This concept is sometimes referred to as "hunting down". There was some discussion on this matter, and it was noted that Law Enforcement would like to see a requirement put in place to require these hunters to wear hunter orange. Additional discussion continued on this matter with different options and ideas being addressed on the hunter orange issue.

Proposal 7:25-5.24, 5.25, 5.26 and 5.30, Expansion of Crossbow Usage for Deer Hunting was explained. This would allow the use of a crossbow for deer hunting during all existing bow season for all, not just those hunters who possess qualifying physical disability permits to use crossbows. There was discussion on this proposal, and Acting Chairwoman Vreeland asked that the language be clarified to be compatible with the language in the proposed Senate and Assembly bills regarding bowhunting.

This concluded the presentation by Principal Biologist Kandoth of the all deer season proposal changes.

Councilman Burke discussed some concerns that had been made to him from sportsmen in Southern New Jersey. In Atlantic County, there has been a request for Deer Management Zone 22 to be moved from Regulation Set 4 to a more restrictive timeframe, such as Regulation Set 3.

Also, he has been asked to have Deer Management Zone 26 taken from Regulation Set 4 to Regulation Set 1. He noted that he thought Regulation Set 3 may be a better choice for change.

In Cumberland County, he has been asked to have Deer Management Zone 34 taken from Regulation Set 3 to Regulation Set 2. It was also suggested that the lower portion of Deer Management Zone 34 moved into a different zone, due to the amount of growth in the area, and have it have in a regulation set that was more liberal with hunting dates.

He added that overall the Southern and Central counties within the Pinelands are all concerned that the deer harvest is down. He noted some of the information that has been relayed to him.

Assistant Director Herrightly suggested that the Game Committee should schedule a meeting before the April Council meeting, and it was discussed that anything voted on today could adjusted to get the right language in place before being finalized.

A motion was made by Councilman Messeroll, seconded by Councilman Puskas to move forward by accepting the proposals presented today. Councilman Van Mater noted that he would like the hunter orange requirement discussed further. Also, Councilman Burke would like see it be recommended to those hunters using ground blinds. Councilman Kertz asked if they were voting on the changes suggested by Councilman Burke, and it was noted that these would be discussed in April. He added that he would like the Game Committee to look further at these suggested changes. **A vote was taken with all in favor, none opposed to accept the Game Code Proposal changes presented today.**

A motion was made by Councilman Messeroll, seconded by Councilman Wolgast to adjourn the meeting. Meeting adjourned at 3:33 pm.